

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

AF
1632
JAU

Inventor(s): Steven L. WECHSLER et al.
 Appln. No.: 10 | 046,491
 Series Code ↑ | Serial No. ↑

Group Art Unit 1632
 Examiner: Anne Marie Sabrina Wehbe
 Atty. Dkt. 307252 | Wechsler et al.
 C-M | Client Ref

Filed: October 29, 2001
 Mail Stop AF
 Hon. Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

Appn. Title: A HERPES SIMPLEX VIRUS TYPE 1 (HSV-1)-DERIVED VECTOR FOR SELECTIVELY INHIBITING MALIGNANT CELLS AND FOR EXPRESSING DESIRED TRAITS IN MALIGNANT AND NON-MALIGNANT MAMMALIAN CELLS (As Amended)

Sir:

REPLY/AMENDMENT/LETTER

Date: August 5, 2004

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim	For B & C See Required Separate Paper (Pat-256)		
A. <input type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input checked="" type="checkbox"/> made previously			

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	4	**minus 31	0	x \$18/\$9 =	+ \$0	1202/2202
3. Independent Claims	1	***minus 3	0	x \$86/\$43 =	+ \$0	1201/2201
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)		add	+ \$290/\$145 =	+ \$0		1203/2203
5. Original due Date: September 29, 2004	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (4 mos) (5 mos)	\$110/\$55 = \$420/\$210 = \$950/\$475 = \$1,480/\$740 = \$2,010/\$1,005 =	+ \$0			1251/2251 1252/2252 1253/2253 1254/2254 1255/2255
7. Enter any previous extension fee paid since above original due date and subtract		- \$0				
8.		Extension Fee	+ \$0			
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		+ \$110/\$55	+ \$0			1814/2814
10. If IDS attached requires Official Fee under Rule 97 (c),	add or if Rule 97(d) Request	+ \$180 + \$180	+ \$0			1806 1806
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$770/385	+ \$0			1809/2809
12. No. of additional inventions for examination per Rule 129(b).....		x \$770/385 ea	+ \$0			1810/2810
13. Request for Continued Examination (RCE)		+ \$770/385	+ \$0			1801/2801
14. Petition fee for		+ \$0				
15.		TOTAL FEE =	\$0			
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".						
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.						
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.						
Our Deposit Account No. 16-1805 (Our Order No. 081476 307252 C# M#)						

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

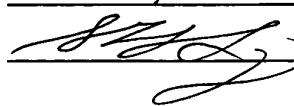
725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406

Tel: (213) 488-7100

Atty/Sec: SDL/kd

By Atty: Seth D. Levy

Reg. No. 44,869

Sig: 

Fax: (213) 629-1033
Tel: (213) 488-7131

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



PATENT
81476-307252

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re DIVISIONAL application of:) Art Unit: 1632
)
 Steven L. WECHSLER *et al.*) Examiner: Anne Marie Sabrina Wehbe
)
 Serial No: 10/046,491)
)
 Filed: October 29, 2001)
)
 For: *A HERPES SIMPLEX VIRUS TYPE 1*)
 (HSV-1)-DERIVED VECTOR FOR SELECTIVELY)
 INHIBITING MALIGNANT CELLS AND FOR)
 EXPRESSING DESIRED TRAITS IN MALIGNANT)
 AND NON-MALIGNANT MAMMALIAN CELLS)
 (As Amended))

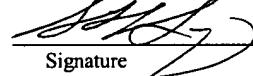
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on

August 5, 2004
Date of Deposit

Seth D. Levy, Reg. No. 44,869

Name

 8/5/2004
Signature Date

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-14350

AMENDMENT AFTER FINAL UNDER 37 CFR 1.116

Dear Sir:

In accordance with 37 CFR 1.116 and in response to the Office Action dated June 29, 2004 in connection with the above-identified application, please consider the following amendment and remarks.